

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 Savannah Gardner, et al.,

Case No.: 2:19-cv-01671-JAD-VCF

4 Plaintiffs

5 v.

**Order Dismissing and  
Closing Case**

6 United States, et al.,

7 Defendants

8 In February 2020, the court sent a notice to plaintiffs advising them under Federal Rule of  
9 Civil Procedure 4(m) that they had not filed proofs of service for any defendants and that the  
10 claims against them would be dismissed without prejudice unless they filed proofs of service by  
11 March 7, 2020.<sup>1</sup> That deadline passed long ago, and plaintiffs have not filed proof that any  
12 defendants have been served or taken any other action in this case.

13 FRCP 4(m) requires service of the summons and complaint to be completed within 90  
14 days of the complaint's filing, and "[i]f a defendant is not served within 90 days after the  
15 complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss  
16 the action without prejudice against that defendant or order that service be made within a  
17 specified time."<sup>2</sup> Accordingly,

18 IT IS HEREBY ORDERED that **THIS ACTION IS DISMISSED** without prejudice  
19 under FRCP 4(m). The Clerk of Court is directed to CLOSE THIS CASE.

20  
21   
22 U.S. District Judge Jennifer A. Dorsey  
February 16, 2022

23 <sup>1</sup> ECF No. 3.

<sup>2</sup> Fed. R. Civ. Proc. 4(m).